

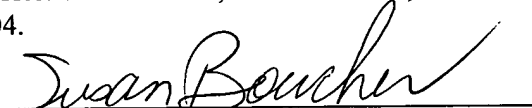
PATENT  
Attorney Docket No. ITV-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Buehler  
APPLICATION NO.: 10/659,454 GROUP NO.: 2643  
FILING DATE: September 10, 2003 EXAMINER: Not yet assigned  
TITLE: Method and Apparatus for Computerized Image Background Analysis

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9 day of February, 2004.

  
Susan Boucher

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

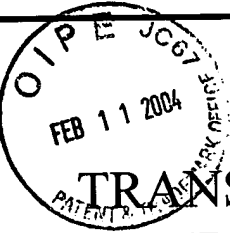
Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page);
2. Information Disclosure Statement (2 pages);
3. PTO Form 1449 (2 page); and
4. a return-receipt postcard.

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 <h1 style="margin: 0;">TRANSMITTAL FORM</h1>	Application Serial Number	10/659,454
	Filing Date	September 10, 2003
	First Named Inventor	Buehler
	Group Art Unit	2643
	Examiner Name	Not yet assigned
	Attorney Docket No.	ITV-002
	Patent No.	Not applicable
	Issue Date	Not applicable

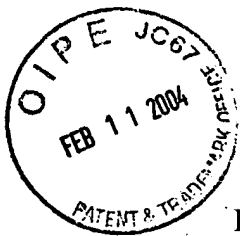
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]  <input type="checkbox"/> Petition for Extension of Time  <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application  <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,   Date: February 9, 2004 Reg. No. 54,130 Tel. No. (617) 310-8619 Fax No. (617) 248-7100  Edward A. Gordon Attorney for Applicant Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110

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Attorney Docket No. ITV-002

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

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- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

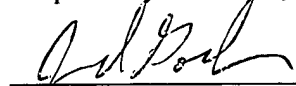
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: February 9, 2004  
Reg. No. 54,130

Tel. No. (617) 310-8619  
Fax No. (617) 248-7100

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Respectfully submitted,



Edward A. Gordon  
Attorney for Applicant  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

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FORM PTO  
INVENT & TRADE

## INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO. ITV-002

APPLICANT(S): Buehler

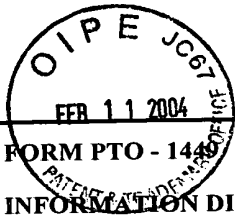
APPLICATION NO. 10/659,454

FILING DATE: September 10, 2003 GROUP: 2643

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	3,740,466	06/19/73	Marshall et al.	178	6.8	12/14/70
	A2	4,737,847	04/12/88	Araki et al.	358	108	09/30/86
	A3	5,097,328	03/17/92	Boyette	358	108	10/16/90
	A4	5,164,827	11/17/92	Paff	358	108	08/22/91
	A5	5,237,408	08/17/93	Blum et al.	358	108	08/02/91
	A6	5,243,418	09/07/93	Kuno et al.	358	108	11/27/91
	A7	5,666,157	09/09/97	Aviv	348	152	01/03/95
	A8	5,734,737	03/31/98	Chang et al.	382	107	07/13/95
	A9	5,745,126	04/28/98	Jain et al.	345	952	06/21/96
	A10	5,969,755	10/19/99	Courtney	348	143	02/05/97
	A11	5,973,732	10/26/99	Guthrie	348	169	02/19/97
	A12	6,028,626	02/22/00	Aviv	348	152	07/22/97
	A13	6,049,363	04/11/00	Courtney et al.	348	700	02/05/97
	A14	6,061,088	05/09/00	Khosravi et al.	348	169	01/20/98
	A15	6,069,655	05/30/00	Seeley et al.	348	154	08/01/97
	A16	6,097,429	08/01/00	Seeley et al.	348	154	08/01/97
	A17	6,237,647	05/29/01	Pong et al.	141	94	04/05/99
	A18	6,295,367	09/25/01	Crabtree et al.	382	103	02/06/98
	A19	6,359,647	03/19/02	Sengupta et al.	348	154	08/07/98
	A20	6,396,535	05/28/02	Waters	348	159	02/16/99
	A21	6,400,830	06/04/02	Christian et al.	382	103	02/06/98
	A22	6,400,831	06/04/02	Lee et al.	382	103	04/02/98
	A23	6,437,819	08/20/02	Loveland	348	143	06/25/99
	A24	6,442,476	08/27/02	Poropat	701	207	10/13/00
	A25	6,456,320	09/24/02	Kuwano et al.	348	143	05/26/98
	A26	6,502,082	12/31/02	Toyama et al.	706	16	10/12/99
	A27	6,516,090	02/04/03	Lennon et al.	382	173	04/23/99
	A28	6,522,787	02/18/03	Kumar et al.	382	268	08/25/97

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FORM PTO - 1440

## INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO. ITV-002

APPLICANT(S): Buehler

APPLICATION NO. 10/659,454

FILING DATE: September 10, 2003 GROUP: 2643

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A29	6,526,156	02/25/03	Black et al.	382	103	09/03/97
	A30	6,549,643	04/15/03	Toklu et al.	382	107	11/30/99
	A31	6,549,660	04/15/03	Lipson et al.	382	224	03/17/99
	A32	6,574,353	06/03/03	Schoepflin et al.	382	103	02/08/00
	A33	6,580,821	06/17/03	Roy	382	154	03/30/00
	A34	6,591,005	07/08/03	Gallagher	382	154	03/27/00
	A35	2003/0025800 A1	02/06/03	Hunter et al.	348	208.13	07/15/02
	A36	2003/0040815 A1	02/27/03	Pavlidis	700	48	06/21/02
	A37	2003/0053658 A1	03/20/03	Pavlidis	382	103	12/27/01
	A38	2003/0058111 A1	03/27/03	Lee et al.	340	573.1	07/03/02
	A39	2003/0058341 A1	03/27/03	Brodsky et al.	348	169	07/03/02
	A40	2003/0058342 A1	03/27/03	Trajkovic	348	207.1	06/07/02
	A41	2003/0071891 A1	04/17/03	Geng	348	39	08/09/02
	A42	2003/0103139 A1	06/05/03	Pretzer et al.	348	143	11/18/02
	A43	2003/0123703 A1	07/03/03	Pavlidis et al.	382	103	12/27/01

## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
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## OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)
EXAMINER	DATE CONSIDERED